

REMARKS

Claims 1-21 are pending in the subject application. Claim 21 has been withdrawn. Claims 1, 14 and 16 have been rejected by the Examiner. Claims 2-13, 15 and 17-20 would be allowable if rewritten in independent form. Claims 1, 14, and 16 have been cancelled. Claim 2-13, 15 and 17-20 have been amended. Claims 2-13, 15 and 17-20 remain in the present application.

I. Examiner's 35 USC §102 Rejection of Claims 1, 14, and 16:

In the subject Office Action, the Examiner rejected Claims 1, 14, and 16 under 35 USC §102 as being anticipated by US Patent No. 5,108,384 to Goulait, stating:

Goulait teaches an absorbent article (20) having a first waist region, a second waist region and a crotch region inter connecting the first waist region and second waist region, an article inner surface (26) and an article outer surface (30), the absorbent article (20) comprising:

- a topsheet (26);
- a backsheet (30);

- a fastening device (24) for joining at least a portion of said first waist region with at least a portion of said second waist region, the fastening device (24) including at least one first fastening member (60), and at least one second fastening member (66);

- the first fastening member (60) is joined to the first waist region, the first fastening member includes, at least one first tab, the first tab including a first tab inner surface, a first tab outer surface (79), and a first tab (78) fastening element (63) on the first tab (78) inner surface (63),

- at least one second tab, the second tab including a second tab inner surface, a second tab outer surface, and a second tab fastening element on the second tab inner surface,

- a resealable tag to tag bond between the first tab outer surface (72) and second tab inner surface (71), the resealable tab to tab bond having a release load,

- at least one second fastening member (66) joined to second waist region on the article outer surface (30); each first tab fastening element and second tab fastening element are configured to provide an operably secure, fastening engagement with the second fastening member (66).

Applicants have cancelled claims 1, 14, and 16. Applicants respectfully assert that said cancellation fully addresses said rejection.

II. Allowable Subject Matter -- Claims 2-13, 15 and 17-20:

In the subject Office Action, the Examiner stated that claims 2-13, 15 and 17-20 would be allowable if rewritten in independent form. Claim 2-13, 15 and 17-20 have been amended accordingly. Applicants' Agent wishes to thank the Examiner for this allowance.

CONCLUSION

It is believed that the above Amendment, taken together with the Remarks, represents a full response to the Examiner's Office Action, and places the present Application in condition for allowance. WHEREFORE, reconsideration of this Application, entry of the Amendment presented, withdrawal of the 35 USC §102 rejection, and an allowance of Claims 2-13, 15 and 17-20 are respectfully requested.

Respectfully submitted,

MAGEE, ET AL.

By

Jack L. Oney, Jr.
Attorney for Applicants
Registration No. 42,964
(513) 626-3047

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